

3/9/70

Dear Sam, *Rhinitine*

There is a bit of dreck, bound in covers and superficially with the other aspects of a book, published in Chicago by Charles Hallberg & Co., 3433 Merchandise Mart, that I believe libels me and I have no doubt has that intent. Is he just a nut on the extreme or the radical right (no sane person would have put this sickening puerility out) or has he enough substance to warrant suit?

The "book" is titled "Bad Friday. It is by a Batista Cuban storekeeper, improved from peddler, calling himself doctor, incredibly a man who claims a doctor of laws degree from Ravens University, one Carlos Bringuier. An associate of such pillars of the democratic society as the racist commercializer of religion and "Communism" as Billy Bergis, and of General Walker, Bringuier is in his own right a racist. He is a sincere and dedicated fascist who so believes the insane stuff he utters he is called "The Stupidity" by even other anti-Castro Cubans.

Aside from calling me an assortment of unpleasant things like Communist, pro-Communist, Communist dupe, etc., while loudly proclaiming that all Communists are responsible for the Kennedy assassination, this bastard has a real nice added defamation, one that through the efforts of another of his ilk, a Latin lawyer in N.O., has already cost me a young fortune (for me), more than the \$5,000 Dell paid back from my royalties.

He filed a series of spurious suits in N.O.L, all thrown out of court, against Dell, Sage and me, never once alleging error, all immune to suit because it is direct and accurate quotation of the testimony. Among his claims is that by me wrongly quoting his own testimony, that he was part owner of his store rather than, as he swore, only the manager, I hurt his business (\$50,000 worth). He never served any of the defendants, the notice by mail being ruled illegal in La. None of the defendants do business in La. He filed in the wrong court. The final business was a castigation by the judge for abuse of the judicial process. He allowed him to withdraw the last suit with prejudice against himself. With this history he knew, and his lawyer knew, among other things, that the La. court had no jurisdiction, that having already been twice ruled down there. But he is a publicity-seeker. Once, after all this history, in an effort to get himself some publicity, he took a xerox of the rough draft of the first complaint to the clerk of the court and attempted to file it as a new suit against us. The clerk recognized it and refused to accept it, knowing it had already been thrown out of court. He then took it to the US Marshall, paid the requisite fee, and got him to serve it on me in N.O.L, telling the Marshall that it was an amended complaint. He also told the same thing to the court reporter of the N.O. paper. He also recognized it and ignored it.

He then filed a suit against Canyon, co-publisher of GSWALD IN NEW ORLEANS. Canyon is a small outfit. When they got the estimate of \$8,000 for just getting the frivolity tossed out of court, they decided, ultimately, to ignore the suit, for it had neither standing nor meaning, filed in the wrong court, etc. and being unenforceable against them, they doing no business in La. His lawyer arranged for this to come before a crony judge, a political hack. Canyon paid no attention to it at all. Now through all of this Bringuier was careful not to serve me, either by the invalid mailing of papers or on the many times I was in N.O.

During this time I was in N.O. often and for as long as 15 days at a time. As I say, he had no difficulty finding me to serve utter meaningless on me, so he could have served me legitimately. He knew I was there, obviously. I was prominently there, on radio, TV, investigating near him, often but a couple of doors from his place of business, etc. He was careful not to serve me because I suspect he knew I was anxious to get him in court where I was not complicated by relations with Dell and Sage. Dell hired the lawyer (I had no dough and couldn't), with money they owed me. I tried without success to get a lawyer to file an action against him. (Would I love to take a deposition from that fascist, that anti-Semite!) and, I might add, perjuror before the Warren Commission.)

The gross, deliberate and, I believe intended libelous representation of this in his book (p.22) vomits out this way:

"One of the most active critics of the Commission's findings is an old man named Harold Weisberg, author of three books in relation to the assassination. His books are so full of inaccuracies that I decided to give him the opportunity to prove in the Court of Justice the truth of what he writes. For several months he evaded this confrontation arguing lack of jurisdiction of the Louisiana Courts. On 9/4/68 Judge David Certler of the Civil District Court of the Parish of Orleans rendered a judgement in the case of 'Dr. Carlos Bringuier vs. The Canyon Books and Books Distributing Company (sic) et al' (publishers of Weisberg's book 'O'WALD IN NEW ORLEANS with a foreword by New Orleans District Attorney James (sic) Garrison) ordering Canyon Books to pay me the sum of five thousand dollars with legal interest from the date of judicial demand until paid and all costs of the court proceedings".

This is the court he knew had no jurisdiction, the municipal court, that having already been twice ruled on, the second occasion ending with his own plea to withdraw with prejudice against himself. And quite the opposite of "for months he evaded this confrontation", for months I was in N.O. and he made no effort, legal or otherwise, to serve me or "confront" me.

In my line, this entirely false and entirely manufactured series of lies, known to Bringuier to be lies, can be quite damaging. And by the way, he cannot even torture the arguing of the successful legal point on lack of jurisdiction into having any relationship to me, for he was quite careful to avoid even the spurious mail service in his second Dell suit. I was never served, was not a respondent, and during that time also was consciously and to his knowledge available to service, in N.O.

Do I have to tell you the kind of animated stupidity is involved when the lawyer (and his "doctor of laws" client) knowing, file a first suit in the wrong court, have this then ruled and their case unceremoniously tossed out, and they file the same suit (word for word, as I recall, complete with all the errors and typos faithfully reproduced), in identically the same court that has no jurisdiction? And after this time getting clobbered for abuse of the courts and withdrawing their own suit with prejudice, they do the same thing a third time, knowing they are before a pal of the lawyer, knowing Canyon will ignore them, and are careful not to make me a defendant?

This Latin would-be Hitler does anything for publicity. He filed a suit against a neighbor because that neighbor responded to a summons and testified before the Warren Commission! That is, too, was immediately tossed out of court was unreported. That it was filed got publicity. And it cost the neighbor a stiff fee to get it also thrown out of court. And his perjury, of which I have the most thorough documentation, was a key factor in the misdirection of the Warren investigation. What do you think?

Hope I get to Chicago again soon. I still recall that top-abundant, excellent Italian meal. Best to you all.

Sincerely,